



Advisory

To: Consumer Products
Manufacturers and
Contract Fillers

Number 129

October 1995

Consumer Products VOC Definition Changes

On September 28, 1995, the California Air Resources Board (ARB or Board) approved a staff proposal to add four compounds (acetone, volatile methyl siloxanes, parachlorobenzotrifluoride, and ethane) to the list of exempt compounds in the definition of volatile organic compounds (VOC) of the California Code of Regulations, Title 17, Section 94500 et seq. In the interim between the Board's decision to approve the amendment and the effective date of the change, there will be a period of time in which the regulation may differ from the Board's position. The ARB's Compliance Division must enforce the regulations as written; however, when the Board approves a change to the regulation, the Compliance Division will withhold enforcement action against any product that would comply with the modified regulation. This enforcement hiatus will apply until such a time as the regulation completes the review process. If the regulation is approved and becomes law, no enforcement action will be taken on the pending cases. Current enforcement action (begun prior to the Board's decision) will not be dismissed without review.

The following is ARB's reply to a question about enforcement with respect to the four exempt compounds.

- Q:** I am using one of the compounds that the Board has proposed to exempt from the VOC definition to reformulate a product to comply with a standard which becomes effective January 1, 1996. Will my product be in compliance with the standard if the VOC definition amendment has not received final approval by January 1?
- A:** Once final approval for the amendment is complete, a product would be compliant if an exempt compound is the only basis for a violation. During the period between the Board's decision (September 28, 1995) and final approval, enforcement action will be withheld on the four compounds mentioned above.

For additional information please call the Manager of the Field Enforcement Section, at (916) 322-6033 or address written inquiries to:

James J. Morgester, Chief
Compliance Division
P.O. Box 2815
Sacramento, CA 95812